

Message Text

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ORIGIN EA-14

INFO OCT-01 ISO-00 SNM-02 L-03 PM-07 TRSE-00 DODE-00 AID-20

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DRAFTED BY EA/TB:CLSTERMER:JBDEXTER:DME

APPROVED BY EA/TB:JBDEXTER

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S/NM:JRAFFERTY (DRAFT)

L/SFP:LFIELDS (DRAFT)

L/PM:JMICHEL (DRAFT)

TREASURY:MBACH (INFO)

DOD/ISA:PFLINT (SUBST)

AID/SA/LT:NSWEET (INFO)

AID:MWAMPLER (DRAFT)

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P 042147Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY RANGOON PRIORITY

INFO AMEMBASSY BANGKOK PRIORITY

C O N F I D E N T I A L STATE 117238

E.O. 11652: GDS

TAGS: SNAR, BM, TH

SUBJECT: NARCOTICS SUPPRESSION EQUIPMENT: DRAFT AGREEMENT

REFS: A. RANGOON 1270

B. RANGOON 1431

C. STATE 212494 (OCT. 27, 1973)

1. WE WELCOME POSITIVE GUB RESPONSE TO OUR NARCOTICS
EQUIPMENT OFFER AND HOPE WE WILL NOW BE ABLE TO PROCEED
SMOOTHLY TO EARLY AGREEMENT. GUB INTENTION TO ACCELERATE
REHABILITATION OF DEADLINED HUSKIES AT OWN EXPENSE IS
ALSO GRATIFYING. WE HAVE ADVISED BURMESE AMBASSADOR
HERE OF DEPARTMENT'S DESIRE TO DO ANY THING WE CAN TO
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FACILITATE SPARE PARTS PROCUREMENT. ACTION ON HUSKIES
WILL BE REASSURING EVIDENCE THAT THE EQUIPMENT WE PROVIDE
FOR NARCOTICS PURPOSES WILL BE ADDITIVE TO, AND NOT A
SUBSTITUTE FOR, EXISTING BURMESE ASSETS. WE CONCUR IN

PRINCIPLE WITH GUB PREFERENCE FOR HUEYS, ESPECIALLY IN LIGHT OF THEIR DECISION TO SPEED REPAIR OF THEIR HUSKIE FLEET.

2. WE ARE ALSO AGREEABLE TO DEFERRING QUESTION OF SENDING A TECHNICAL TEAM IF THE BURMESE BELIEVE THIS WOULD NOT BE HELPFUL AT THIS STAGE. HOWEVER, BEFORE CONCLUDING FORMAL AGREEMENT ON THE HELICOPTER PROGRAM, WE STILL NEED INFORMATION ON CERTAIN TECHNICAL MATTERS AS DESCRIBED REF C

PARA 6. THESE QUESTIONS RELATE LARGELY TO BURMESE FORWARD PLANNING AND COMMITMENT OF RESOURCES FOR MAINTAINING AND OPERATING NEW AIRCRAFT. INFORMATION IS NEEDED TO SUPPORT THE COMMITMENT OF US NARCOTICS FUNDS FOR THIS SIZEABLE PROGRAM AND ALSO TO JUSTIFY THE AIRCRAFT SELECTION AND THE DELIVERY SCHEDULE THAT ARE TO BE INCLUDED IN THE FINAL AGREEMENT. HOWEVER, WE BELIEVE OUR NEEDS COULD BE MET THROUGH INFORMAL DISCUSSIONS WITH BURMESE AUTHORITIES BY MISSION PERSONNEL NOW IN RANGOON (ESPECIALLY AIR ATTACHE WHO, WE UNDERSTAND, HAS GOOD TECHNICAL BACKGROUND ON HELICOPTERS). IF YOU BELIEVE THAT ADDITIONAL CONSULTATIVE ASSISTANCE IS REQUIRED, ARRANGEMENTS TO SEND BELL COMPANY OR OTHER APPROPRIATELY QUALIFIED REPRESENTATIVE TO RANGOON CAN BE MADE.

3. WE HOPE OUR REQUIREMENT FOR SUPPORTING DATA WILL NOT BE MISUNDERSTOOD BY THE BURMESE AND WILL NOT PRODUCE FURTHER DELAY. IN EXPLAINING IT TO THE GUB, YOU SHOULD MAKE CLEAR THAT OUR INTENT IS NOT TO QUESTION BURMESE GOOD FAITH OR COMPETENCE OR TO ATTACH STRINGS TO OUR HELICOPTER GRANT. IF WE ARE TO BE RESPONSIBLE IN ADMINISTERING NARCOTICS AID TO BURMA AS TO OTHER COUNTRIES, WE MUST BE SATISFIED THE RECIPIENT HAS THOUGHT THROUGH AND IS PREPARED TO ACCEPT THE OPERATIONS AND MAINTENANCE IMPLICATIONS OF WHAT WE PROPOSE. MOREOVER, IT SHOULD BE HELPFUL TO THE BURMESE THEMSELVES TO REVIEW THESE PROBLEMS THROUGH TECHNICAL DISCUSSIONS WITH KNOWLEDGEABLE
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US EXPERTS BEFORE THEY FORMALLY ACCEPT THE RESPONSIBILITY. WE SEE NO REASON WHY TECHNICAL DISCUSSIONS OF THE TYPE WE HAVE IN MIND SHOULD DELAY FORMAL AGREEMENT, ASSUMING THAT THE GUB HAD ALREADY STAFFED THE MATTER OUT INTERNALLY TO A REASONABLE DEGREE BEFORE DECIDING TO ASK FOR HUEYS.

4. THE TECHNICAL TALKS NEED NOT BE EXHAUSTIVE OR TIME CONSUMING. WE RECOGNIZE THAT DETAILED PLANNING FOR HELICOPTER MAINTENANCE AND OPERATIONS CANNOT REASONABLY BE DONE UNTIL AFTER AGREEMENT IS SIGNED AND DELIVERY SCHEDULE IS REASONABLY FIRM. IN ADDITION, SOME OF THE INFORMATION DESIRED MAY ALREADY BE IN THE MISSION'S POSSESSION AND NEED ONLY BE VERIFIED BY BURMESE. WHAT

WE WANT IS THE BEST INFORMATION WE CAN GET TO SATISFY US THAT THE BURMESE ARE FULLY AWARE OF THE OPERATIONS AND MAINTENANCE REQUIREMENTS THAT ADDITIONAL HELICOPTERS OF NEW TYPE WILL IMPOSE UPON THEM AND THAT THEY ARE PREPARED TO MAKE APPROPRIATE OPERATIONAL PLANS AND TO COMMIT THE NECESSARY RESOURCES BEFORE THE AIRCRAFT ARE DELIVERED. WE WOULD LIKE SPECIFIC INFORMATION ON SUCH MATTERS AS THE FOLLOWING:

A) CURRENT NUMBER OF TRAINED GUB HELICOPTER PILOTS AND REQUIREMENTS FOR CHECKING THEM OUT IN TIME FOR ARRIVAL OF NEW AIRCRAFT; IF TRAINING IS NEEDED, WHERE WILL IT BE CONDUCTED (US, BURMA, ELSEWHERE) AND BY WHOM PREFERABLY (MILITARY OR CIVILIANS);

B) SIMILAR QUESTIONS REGARDING OTHER CREWMEN, MAINTENANCE PERSONNEL AND FACILITIES AS WELL AS COMMUNICATION PERSONNEL;

C) ADEQUACY OF POL SUPPLIES, EXISTENCE OF FORWARD OPERATING BASES, ETC. TO MEET INCREASED NEEDS;

D) CAN SECURITY FORCES EFFICIENTLY UTILIZE SUBSTANTIAL INCREASE IN ITS HELICOPTER ASSETS? ARE THERE LIMITS TO WHAT CAN BE ABSORBED IN TERMS OF THEIR OPERATIONAL CAPABILITIES? CAN THE REQUIRED NUMBER OF PILOTS, CREWMEN, MAINTENANCE PERSONNEL BE TRAINED AND WILL SUFFICIENT BUDGETARY RESOURCES BE AVAILABLE TO OPERATE
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ADDITIONAL HELICOPTERS?

5. IT IS IMPORTANT THAT PROGRESS TOWARD AGREEMENT ON BURMA PROGRAM NOT BE JEOPARDIZED BY GUB MISUNDERSTANDING OF OUR INTENTIONS IN CALLING FOR FURTHER TECHNICAL DISCUSSIONS. WE ARE FULLY AWARE OF THEIR SENSITIVITIES ON THIS SCORE AND MUST CAREFULLY WEIGH THE RISKS AGAINST OUR REQUIREMENT FOR AN ACCEPTABLE TECHNICAL RATIONALE FOR THE PROGRAM. SHOULD YOU DETERMINE, AFTER SOUNDING THE BURMESE OUT ON THE SUBJECT, THAT INSISTENCE UPON DETAILED TECHNICAL TALKS WOULD BE COUNTERPRODUCTIVE, AND IF YOU BELIEVE THE MISSION HAS ADEQUATE INFORMATION ON WHICH TO BASE SOUND UNILATERAL JUDGEMENT ON THE SUBJECT, YOU MAY DEFER ISSUE OF TECHNICAL TALKS AND SEND YOUR OWN ANALYSIS OF THE TECHNICAL ISSUE TOGETHER WITH YOUR RECOMMENDATIONS. THE ESSENTIAL POINT IS THAT, BEFORE CONCLUDING AGREEMENT, WE HAVE THE BEST AVAILABLE ASSESSMENT OF BURMESE WILLINGNESS AND CAPABILITY TO MAINTAIN AND OPERATE THE HELICOPTERS WE PROVIDE IN AN EFFECTIVE MANNER TO MEET OUR NARCOTICS OBJECTIVES.

6. TO MINIMIZE DELAY IN CONCLUDING AGREEMENT AND TO

DEMONSTRATE OUR INTENTION TO GO THROUGH WITH OUR OFFER, YOU MAY COMMENCE NEGOTIATIONS ON PROPOSED TEXT OF OUR AGREEMENT CONCURRENTLY WITH TECHNICAL DISCUSSIONS. FOLLOWING IS OUR PROPOSED TEXT OF A DIPLOMATIC NOTE THAT WOULD CONSTITUTE THE US COMMITMENT WHICH YOU MAY PRESENT TO THE GUB FOREIGN MINISTRY FOR APPROVAL. THE TEXT IS BASED UPON YOUR DRAFT (REF A) WHICH HAS BEEN MODIFIED SLIGHTLY FOR REASONS NOTED IN PARAS FOLLOWING THE TEXT.

BEGIN TEXT: I HAVE THE HONOR TO REFER TO THE DISCUSSIONS WHICH HAVE RECENTLY TAKEN PLACE BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS CONCERNING THE PROBLEM OF SUPPRESSING THE ILLEGAL CULTIVATION, PROCESSING, PRODUCTION, AND TRAFFICKING OF NARCOTIC DRUGS, AND INTERNATIONAL COOPERATION TO THIS END. IN ORDER TO ASSIST THE GUB'S PROGRAM FOR SUCH SUPPRESSION, THE USG IS PREPARED TO PROVIDE, ON A GRANT BASIS, (BLANK) HELICOPTERS TOGETHER WITH SPARE PARTS AND AUXILIARY EQUIPMENT, AT AN ESTIMATED TOTAL VALUE (BLANK)
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TO BE DELIVERED AS PRODUCTION SCHEDULES PERMIT DURING THE PERIOD JULY-DECEMBER 1975. SUBJECT TO THE AVAILABILITY OF APPROPRIATED FUNDS, TO AGREEMENT BETWEEN THE TWO GOVERNMENTS ON THE CONTINUING NATURE OF THE REQUIREMENT, AND TO THE SATISFACTORY USE OF THE PREVIOUSLY PROVIDED AIRCRAFT, OR (SHOULD GUB OBJECT TO THIS LANGUAGE) ALTERNATIVELY "ON THE ESTABLISHED OPERATIONAL UTILITY OF SUCH AIRCRAFT FOR NARCOTICS SUPPRESSION PURPOSES", THE USG IS PREPARED SUBSEQUENTLY TO PROVIDE AN ADDITIONAL (BLANK) HELICOPTERS, TOGETHER WITH SPARE PARTS AND AUXILIARY EQUIPMENT, TO BE DELIVERED DURING FY 76-FY 77.

(A) THE GUB WILL PROVIDE THE AIR CREW AND GROUND PERSONNEL, MAINTENANCE AND OPERATIONAL FACILITIES, AND ANY ADDITIONAL SPARE PARTS AND AUXILIARY EQUIPMENT, POL AND ORDNANCE NECESSARY FOR THE UTILIZATION OF THE HELICOPTERS FOR THE SUPPRESSION OF ILLEGAL CULTIVATION, PROCESSING, PRODUCTION AND TRAFFICKING OF NARCOTICS DRUGS AND THE GUB AGREES TO UTILIZE THE HELICOPTERS PRIMARILY FOR THE PURPOSES FOR WHICH THEY ARE PROVIDED, AND ANY ADDITIONAL USE WOULD BE INCIDENTAL TO THIS PRIMARY PURPOSE.

(B) THE GUB WILL NOT SELL OR TRANSFER ANY OF THE HELICOPTERS, SPARE PARTS, OR AUXILIARY EQUIPMENT PROVIDED BY USG TO ANY OTHER GOVERNMENT OR INDIVIDUAL WITHOUT THE PRIOR APPROVAL OF THE USG.

(C) THE GUB AGREES TO PROVIDE THE EMBASSY OF THE UNITED STATES QUARTERLY REPORTS ON THE SPECIFIC EFFORTS

UNDERTAKEN IN RELATION TO THE PURPOSES AND OBJECTIVES
OF THIS AGREEMENT.

IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF THE
SOCIALIST REPUBLIC OF THE UNION OF BURMA, THIS NOTE AND
YOUR REPLY SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR
TWO GOVERNMENTS. END TEXT.

7. WE AGREE WITH YOUR REASONING PARA 3, REF B FOR
INCLUDING "CULTIVATION, PROCESSING AND PRODUCTION" AS
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AMONG ILLEGAL NARCOTICS ACTIVITIES TO BE SUPPRESSED.

8. WE HAVE INSERTED THE REFERENCE TO THE PRIMARY USE
OF THE HELICOPTERS IN DRAFT NOTE BECAUSE EQUIPMENT
FURNISHED TO FOREIGN GOVERNMENTS FOR NARCOTICS CONTROL
PURPOSES MUST BE USED IN A MANNER CONSISTENT WITH THE
PURPOSES OF THE GRANT AND WE MUST BE CAREFUL THAT THE
AGREEMENT WOULD NOT PERMIT A POSSIBLE VIOLATION OF
SECTION 112 OF FOREIGN ASSISTANCE ACT (FAA) WHICH
PRECLUDES FAA FUNDS FROM BEING USED TO FUND POLICE-
RELATED PROGRAMS (EXCLUSIVE OF NARCOTICS CONTROL) IN
FOREIGN COUNTRIES. WE WILL ACCEPT ALTERNATIVE WORDING
OF "ESSENTIALLY" IF BURMESE INSIST, BUT RESTRICTED USE
OF THESE HELICOPTERS MUST BE WRITTEN INTO AGREEMENT TO
SATISFY CITED LEGISLATIVE PROHIBITION.

9. DELETION OF REFERENCE TO 1957 AID AGREEMENT IS
EXPLAINED BY GENERAL BELIEF HERE THAT HELICOPTER OFFER
SHOULD BE CONSIDERED AS DISTINCT PROGRAM, ENTIRELY
INDEPENDENT OF PREVIOUS USG ACTIVITIES IN BURMA. WE
WANT TO ESTABLISH CLEARLY THAT USG IS NOT REVIVING
EITHER AN ECONOMIC AID OR MILITARY ASSISTANCE PROGRAM.
IN THIS CONNECTION, WE NOTE WITH FAVOR GUB SPOKESMAN'S
SPECIFIC STATEMENT OF IDENTICAL SENTIMENT OF BURMESE
SIDE. WE ASSUME ALSO THAT GUB, AS MATTER OF PRINCIPLE
AND BECAUSE OF SENSITIVITY TO REACTIONS OF OTHER COUNTRIES,
WOULD PREFER RECORD TO BE CLEAR, IF NECESSARY, THAT
HELICOPTERS WERE OFFERED AND ACCEPTED "PRIMARILY" OR
"ESSENTIALLY" FOR NARCOTICS CONTROL PURPOSES.

10. DEPARTMENT WOULD LIKE TO OBLIGATE FUNDS FOR THESE
HELICOPTERS DURING FY 74. CERTAINTY OF APPROPRIATIONS
VARIES ANNUALLY, AS EMBASSY AWARE, SO EXCHANGE OF
NOTES DURING NEXT FEW WEEKS IS ESSENTIAL TO ENSURE
OBLIGATION OF FUNDS YET THIS FISCAL YEAR. KISSINGER

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